

REMARKS

In view of the above amendments and the following remarks, reconsideration and further examination are respectfully requested.

I. Amendments to the Specification and Abstract

The specification and abstract have been reviewed and revised to improve their English grammar. The amendments to the specification and abstract have been incorporated into a substitute specification and abstract. Attached are two versions of the substitute specification, a marked-up version showing the revisions, as well as a clean version. No new matter has been added.

II. Amendments to the Claims

Claims 11, 13, 14, 16 and 20-26 have been amended to clarify features of the invention recited therein in order to overcome the 35 U.S.C. § 112, second paragraph rejections discussed below, and to further distinguish the present invention from the reference relied upon in the rejections discussed below.

It is also noted that claims 11-26 have been amended to make a number of editorial revisions thereto. These editorial revisions have been made to place the claims in better U.S. form. Further, these editorial revisions have not been made to narrow the scope of protection of the claims, or to address issues related to patentability, and therefore, these amendments should not be construed as limiting the scope of equivalents of the claimed features offered by the Doctrine of Equivalents.

III. 35 U.S.C. § 112, Second Paragraph Rejections

Claims 11, 14, 20, 22, 23, 25 and 26 were rejected under 35 U.S.C. § 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner stated that use of the terms “stretching members” and “the stretching members” is indefinite. This rejection is believed clearly inapplicable to claims 11, 14, 20, 22, 23, 25 and 26, since claims 11, 14, 20, 22, 23, 25 and 26 have been amended to avoid the problems identified by the Examiner and to otherwise comply with the requirements of 35 U.S.C. § 112, second paragraph. Specifically, claims 11, 14, 20, 22, 23, 25 and 26 have been amended to recite “first stretching members” and “second stretching members,” which are described in the specification. As a result, withdrawal of these rejections is respectfully requested.

IV. 35 U.S.C. § 102 Rejection

Claims 11-26 were rejected under 35 U.S.C. § 102(b) as being anticipated by Nakanishi (U.S. 3,209,510). This rejection is believed clearly inapplicable to amended independent claim 11 and claims 12-26 that depend therefrom for the following reasons.

Amended independent claim 11 recites a block of a plurality of blocks for constructing a flat structure. Further, claim 11 recites that the block includes a plurality of through holes for having first stretching members inserted therein, and includes recessed portions formed on outer upper and lower peripheral surfaces of the block and for having second stretching members disposed therein. Finally, claim 11 recites that the block includes a cavity extending throughout

the block and having an opening at the upper and lower peripheral surfaces of the block, such that the cavity crosses the recessed portions. Nakanishi fails to disclose or suggest the above-mentioned distinguishing features as recited in independent claim 11.

Rather, Nakanishi teaches a block having holes 19 that do not cross the grooves 13 (see Fig. 1). Additionally, Nakanishi teaches that a panel including a plurality of blocks includes spaces that are defined by the grooves 13 and have a bar 23 inserted therein, such that the grooves 13 (or the spaces formed by the grooves 13) do not communicate with the holes 19 (see Figs. 1, 8 and 9).

Thus, in view of the above it is clear that Nakanishi teaches that the grooves (or the spaces formed by the grooves) do not cross and do not communicate with the holes, but fails to disclose or suggest that the block includes a cavity extending throughout the block and having an opening at the upper and lower peripheral surfaces of the block, such that the cavity crosses the recessed portions of the block, as recited in claim 11.

In other words, even though Nakanishi teaches that the block includes holes and grooves/spaces, Nakanishi still fails to disclose or suggest the cavity that crosses the recessed portions of the block, as recited in claim 11, because Nakanishi teaches that the holes and grooves/spaces do not cross each other.

Additionally, Applicants note that, because Nakanishi teaches that the holes and grooves/spaces do not cross or communicate with each other when the blocks are placed together to form a panel, the holes of one block are not able to communicate with holes from another block that is placed next to (not above or below) the one block. In other words, the holes as disclosed by Nakanishi can only communicate with holes of blocks that are in the same column,

but not with holes of blocks that are in the same row (see Figs. 8 and 9). This limited “communication” between the holes of the blocks from the same row causes poor or no air-permeability between the spaces defined by the grooves and the holes, which in turn causes humidity to stay in the panel formed by the blocks.

On the other hand, since claim 11 requires that the cavity crosses the recessed portions, the cavity and the recessed portions do not prohibit communication between cavities from other blocks arranged in the same row, as does Nakanishi.

Therefore, because of the above-mentioned distinctions it is believed clear that independent claim 11 and claims 12-26 that depend therefrom are not anticipated by Nakanishi.

Furthermore, there is no disclosure or suggestion in Nakanishi or elsewhere in the prior art of record which would have caused a person of ordinary skill in the art to modify Nakanishi to obtain the invention of independent claim 11. Accordingly, it is respectfully submitted that independent claim 11 and claims 12-26 that depend therefrom are clearly allowable over the prior art of record.


V. Conclusion

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance and an early notification thereof is earnestly requested. The Examiner is invited to contact the undersigned by telephone to resolve any remaining issues.

The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.

Respectfully submitted,

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